

**IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

**ADMIN, INC.**

**Plaintiff,**

**v.**

**LUKE KOHAN, et al.,**

**Defendants.**

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**Case No. 23 C 4430**

**Magistrate Judge M. David Weisman**

**ORDER**

Plaintiff asks the Court to compel defendants to remove the attorneys' eyes only ("AEO") designation from the portions of defendant Kohan's deposition in which he discusses defendant FirmKey's experts. The parties' agreed confidentiality order says the following about AEO designations:

Any Confidential Information may be designated by the Producing Party as "CONFIDENTIAL –ATTORNEYS' EYES ONLY – SUBJECT TO PROTECTIVE ORDER" if the Producing Party believes in good faith that the Confidential Information contains, constitutes, reveals, or reflects trade secrets or personal information or other information of a high degree of commercial sensitivity or that if disclosed could result in significant competitive or commercial disadvantage or other significant harm to the Producing Party or a third-party.

(ECF 27 ¶ 3.) During his deposition, Kohan said he did not consider the identities of plaintiff's experts to be confidential. (ECF 42-1 at 63.) Nonetheless, defense counsel designated as AEO questions Kohan was asked about defendants' experts. (*Id.* at 171-72.) The reason defense counsel gave for the designation was, "[Kohan] doesn't want your client to know about [the experts]." (*Id.* at 172.)

Defendants do not defend the AEO designation but say they should not have to share information about their experts because it is irrelevant to this suit. (*See* ECF 38 (denying plaintiff's motion to compel defendants to produce communications with plaintiff's experts because the non-competition agreement Kohan signed does not mention experts).) The parties' confidentiality order does not, however, permit the AEO designation to be applied to information because it is irrelevant. Accordingly, the Court grants plaintiff's motion [ECF 42] and orders defendant to remove the AEO designation from the portion of Kohan's deposition discussing experts by October 18, 2023.

**SO ORDERED.**

**ENTERED:**

**DATED: 10/13/23**



**M. David Weisman  
United States Magistrate Judge**